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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,809	08/21/2001	Ronald E. Griffin	0020012. P001	8815

7590

01/14/2004

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955 Woodgrove Lane  
San Jose, CA 95136

EXAMINER
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DUONG, THANH P

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/934,809

Applicant(s)

GRIFFIN, RONALD E.

Examiner

Tom P Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-11,13,15,17-24 and 26-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-11,13,15,17-24 and 26-30 is/are rejected.
- 7) ☒ Claim(s) 1,14 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

Claims 1, 14, and 26 are objected to because of the following informalities: the preamble recites "a golf putter comprising:" should be incorporated in the claim language in claims 1, 14 and 26 rather than in a form of an introduction to the claim language. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Caldwell (3,578,332). Caldwell discloses the golf club of the claimed invention (Figures 1-5 and Col. 1, lines 36-53).
2. Claims 1 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Bernhardt (4,265,451). Bernhardt discloses the golf club of the claimed invention (Figure 6).

3. Claims 1 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Giordano (6,179,727). Giordano discloses the golf club of the claimed invention (Figures 1-3).
4. Claims 1 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Stevenson, Jr. (5,333,870). Stevenson, Jr. discloses the golf club of the claimed invention (Figures 1 and 11 and Col. 9, lines 54-68).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 4-11, 13, 15, 17-24, and 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell '332 in view of Stevenson, Jr. '870 and Rife (5,618,239) and Ashcraft (6,261,190). Caldwell '332 discloses a putter head with a narrow sole 16 and a rear section sculpted (Fig. 3) with enlargement 13 near the shaft and head attachment (Col. 1, lines 50-53) facilitates ball alignment and improves propulsion force (Col. 2, lines 22-27). Caldwell does not disclose alignment means and a striking face with non-radial curvature (convex striking face with grooves). Caldwell appears to show the bottom rear portion curved rearwardly and upwardly similar to the doze portion of the claimed invention. Likewise, Stevenson also discloses a narrow sole and the backside 12 is slanted backward (Fig. 11) to concentrate more mass at the

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top surface 3 or shaft attachment of the head. Rife teaches that the grooves 302 of a convex striking face (Fig. 8) creates an overspin or rolling action, which provides more control to a golf ball upon impact. Ashcraft teaches an alignment feature 50, which allows a golfer to align the putter with the golf ball (Col. 1, lines 35-38 and Col. 3, lines 49-54). Thus, it would have been obvious in view of Stevenson and Rife and Ashcraft to one having ordinary skill in the art to modify the putter of Caldwell with the backside slanted backward as taught by Stevenson, grooves on the striking face as taught by Rife, and alignment feature as taught by Ashcraft in order to provide a putter of Caldwell with mass concentration at the shaft, overspin action for a golf ball, and alignment feature. The above combination features essentially enhance the performance of Caldwell's putter. With respect to the loft angle in claims 8, 20 and 28, it is conventional to provide a striking face with positive loft angle to ensure the golf ball have a pure rolling motion, which minimizes the golf ball from deviating from its intended path and it would have been obvious to do so here to gain the same benefit.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-30 have been considered but are moot in view of the new ground(s) of rejection.

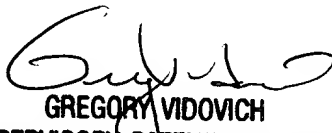
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom P Duong whose telephone number is (703) 305-4559. The examiner can normally be reached on 8:00AM - 4:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on (703) 308-1513. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

Tom Duong

  
GREGORY VIDOVIK  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3700